



FEDERAL ELECTION COMMISSION
Washington, DC 20463

October 23, 1997

Senator Art Torres (Ret.) Chairman
California Democratic Party
911 - 20th Street
Sacramento, CA 95814-3115

Dear Senator Torres:

This is to acknowledge receipt on October 22, 1997, of your letter dated October 17, 1997. The Federal Election Campaign Act of 1971, as amended ("the Act") and Commission Regulations require that the contents of a complaint meet certain specific requirements. One of these requirements is that a complaint be sworn to and signed in the presence of a notary public and notarized. An additional requirement is that the complaint contain the full name and address of the complainant. Your letter was not properly sworn to.

In order to file a legally sufficient complaint, you must swear before a notary that the content of your complaint is true to the best of your knowledge and the notary must represent as part of the jurat that such swearing occurred. The preferred form is "Subscribed and sworn to before me on this ____ day of ____, 19__." A statement by the notary that the complaint was sworn to and subscribed before him/her also will be sufficient. In addition, your address must appear on the complaint itself. We regret the inconvenience that these requirements may cause you, but we are not statutorily empowered to proceed with the handling of a compliance action unless all the statutory requirements are fulfilled. See 2 U.S.C. § 437g.

Enclosed is a Commission brochure entitled "Filing a Complaint." I hope this material will be helpful to you should you wish to file a legally sufficient complaint with the Commission.

Please note that this matter will remain confidential for a 15 day period to allow you to correct the defects in your complaint. If the complaint is corrected and refiled within the 15 day period, the respondents will be so informed and provided a copy of the corrected complaint. The respondents will then have an additional 15 days to respond to the complaint on the merits. If the complaint is not corrected, the file will be closed and no additional notification will be provided to the respondents.

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If you have any questions concerning this matter, please contact me at (202)
219-3410.

Sincerely,



Retha Dixon
Docket Chief

Enclosure

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